

ROSENTHAL, MONHAIT, GROSS & GODDESS, P. A.

ATTORNEYS AT LAW  
SUITE 1401, 919 MARKET STREET

P. O. BOX 1070

WILMINGTON, DELAWARE 19899-1070

TELEPHONE (302) 656-4433

FACSIMILE (302) 658-7567

E-MAIL RMGG@RMGGLAW.COM

JOSEPH A. ROSENTHAL  
NORMAN M. MONHAIT  
KEVIN GROSS  
JEFFREY S. GODDESS  
CARMELLA P. KEENER  
EDWARD B. ROSENTHAL  
JESSICA ZELDIN

January 26, 2006

**VIA ELECTRONIC FILING AND HAND DELIVERY**

The Honorable Gregory M. Sleet  
United States District Court  
844 N. King Street  
Wilmington, DE 19801

**Re: Kopacz v. DRBA and Craig Swett, D. Del., C.A. No. 04-911 (GMS)**  
**Kopacz v. DRBA, D. Del., C.A. No. 04-1281 (GMS)**

Dear Judge Sleet:

As Your Honor is aware, I, together with Ms. Reeves of Donna Adelsberger & Associates, P.C., represent defendant Delaware River and Bay Authority in this matter. I am writing to respectfully request that Your Honor excuse my presence from the trial commencing on February 6, 2006, as my client will be represented primarily by Lead Counsel, Mary Elisa Reeves, Esquire. I do anticipate that there may be days or portions of days where I will be in attendance at the trial, at Lead Counsel's discretion, but am requesting that Your Honor not require that I be there for the entirety of the trial.

I look forward to Your Honor's guidance in this regard.

Respectfully,

/s/ Carmella P. Keener (DSBA No. 2810)

ROSENTHAL, MONHAIT, GROSS  
& GODDESS, P.A.

919 N. Market Street, Suite 1401

Wilmington, DE 19801

(302) 656-4433

[ckeener@rmgglaw.com](mailto:ckeener@rmgglaw.com)

Attorneys for Defendant DRBA

CPK/jls

cc:: James J. Woods, Esquire (via electronic filing)  
E. Alfred Smith, Esquire (via electronic mail)  
Mary Elisa Reeves, Esquire (via electronic mail)  
Donald M. Ransom, Esquire (via electronic filing)